



<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/056,000
		Filing Date	January 28, 2002
		First Named Inventor	James COLEMAN
		Art Unit	2841
		Examiner Name	Vit W. Miska
Total Number of Pages in This Submission		Attorney Docket Number	532412000100

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Barry E. Bretschneider – 28,055
Signature	
Date	November 18, 2004



PATENT  
Docket No. 532412000100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

James COLEMAN

Serial No.: 10/056,000

Filing Date: January 28, 2002

For: WATER FEATURE

Examiner: Vit W. Miska

Group Art Unit: 2841

**RESPONSE UNDER 37 CFR 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Action dated August 25, 2004, please reconsider this application in light of the following Remarks.

**REMARKS**

Applicant thanks the Examiner for allowing claim 15 and indicating that claims 9-14 and 20 are directed to patentable subject matter. In view of the allowability of the remaining claims in this application, applicant respectfully declines to amend them at this time.

Claims 1-4 and 7 stand rejected as anticipated by Hess. This rejection is respectfully traversed.

Hess does not at all disclose a water feature as claimed in claim 1 but instead discloses a simple water clock in which the time is indicated by the heights of a plurality of *static* water columns, which Hess terms time keeping reservoirs. Contrary to the Examiner's suggestion, Hess does not disclose "controlling the rate of water inlet in comparison with the water outlet